**IN THE HIGH COURT OF KERALA AT ERNAKULAM**

**PRESENT :**

**THE HONOURABLE MR. JUSTICE M.SASIDHARAN NAMBIAR**

**WEDNESDAY, THE 3RD JANUARY 2007 / 13TH POUSHA 1928**

**CRP.No. 505 of 2006()**

**(AGAINST THE JUDGMENT DT.23.8.03 IN ELE.OP.224/1996 ON THE FILE OF THE ADDL.DISTRICT COURT, ALAPPUZHA.)**

**REVN. PETITIONER: RESPONDENT IN O.P:**

**THE KERALA STATE ELECTRICITY BOARD,**
**REP. BY ITS ITS SECRETARY, VYDHYUTHI BHAVANANAM,**
**THIRUVANANTHAPURAM.**

**BY ADV. SRI.K.S.ANIL, SC, KSEB**

**RESPONDENTS: PETITIONER IN O.P:**

**MR.P.V. SHAJI, S/O.K.VASUDEVAN,**
**PUTHUYEZHATHU HOUSE, THIRUNALLOOR P.O.,**
**CHERTHALA, ALLEPPEY DISTRICT.**

**BY ADV. SRI.GEORGE SEBASTIAN**

**THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 03/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:**

**M.SASIDHARAN NAMBIAR, J.**

---

**C.R.P.NO.505 OF 2006 (G)**

---

Dated this the 3rd day of January, 2007.

**O R D E R**

This petition is filed under section 5 of the Limitation Act to condone the delay of 598 days in filing the revision. Revision petition was filed challenging the order passed by Additional District Judge, Alappuzha, in O.P.(Ele).224/96, whereunder enhanced compensation was granted. Learned District Judge originally granted enhancement at the rate of Rs.7,000/- per cent. This court set aside the order and remanded the case back to the District Court for fresh disposal. Learned District Judge found that no further evidence was adduced by the parties. Considering the importance of the locality, land value was fixed only at the rate of Rs.2,000/- per cent. Learned counsel appearing for respondent submitted that respondent had filed a revision challenging the compensation which was dismissed by this court holding that the enhanced compensation awarded is reasonable. In such circumstances, there is no reason to

interfere with the order of enhancement granted by learned District Judge. Moreover, the inordinate delay of 598 days was not explained by petitioner except saying that it is due to administrative reasons. Even the affidavit shows that certified copy was applied belatedly and after getting the certified copy, the revision was filed with further delay. In such circumstances, the absence of proper explanation for sufficiency of the delay, the delay also cannot be condoned.

Petition and revision petition are dismissed.

**M.SASIDHARAN NAMBIAR,**
**JUDGE.**

bkn